

Message

From: Cisar, Elizabeth [Cisar.Elizabeth@epa.gov]
Sent: 11/10/2021 12:53:24 PM
To: Fox, Radhika [Fox.Radhika@epa.gov]
CC: Best-Wong, Benita [Best-Wong.Benita@epa.gov]; Blount, Keyyana [blount.keyyana@epa.gov]; Wehling, Carrie [Wehling.Carrie@epa.gov]; Pollins, Mark [Pollins.Mark@epa.gov]
Subject: FW: Benton Harbor newsclips 11/10/21
Attachments: FINAL BH Lead Letter to EPA - 11.5.2021.pdf

FYSI

I learned of this through the media reports. I'm trying to identify who is in the lead on preparing a response.

Elizabeth Cisar

Cisar.Elizabeth@epa.gov

Phone: (202)-564-4382; Cell: Ex. 6 Personal Privacy (PP)

From: Fong, Tera <Fong.Tera@epa.gov>
Sent: Wednesday, November 10, 2021 7:49 AM
To: Cisar, Elizabeth <Cisar.Elizabeth@epa.gov>; Arcaute, Francisco <Arcaute.Francisco@epa.gov>; Rowan, Anne <rowan.anne@epa.gov>; Gillespie, Taylor <Gillespie.Taylor@epa.gov>; Cannon, Phillippa <Cannon.Phillippa@epa.gov>; Singer, Joshua <Singer.Joshua@epa.gov>; Pope, Janet <Pope.Janet@epa.gov>; Walts, Alan <walts.alan@epa.gov>; Russell, Diane <russell.diane@epa.gov>; Carroll, Timothy <Carroll.Timothy@epa.gov>; Niebling, William <Niebling.William@epa.gov>
Cc: Lippert, Allison <lippert.allison@epa.gov>; Risley, David <Risley.David@epa.gov>; Carroll, Timothy <Carroll.Timothy@epa.gov>; Wadlington, Christina <Wadlington.Christina@epa.gov>
Subject: RE: Benton Harbor newsclips 11/10/21

Please see attached.

From: Cisar, Elizabeth <Cisar.Elizabeth@epa.gov>
Sent: Wednesday, November 10, 2021 6:40 AM
To: Arcaute, Francisco <Arcaute.Francisco@epa.gov>; Rowan, Anne <rowan.anne@epa.gov>; Gillespie, Taylor <Gillespie.Taylor@epa.gov>; Cannon, Phillippa <Cannon.Phillippa@epa.gov>; Singer, Joshua <Singer.Joshua@epa.gov>; Pope, Janet <Pope.Janet@epa.gov>; Fong, Tera <Fong.Tera@epa.gov>; Walts, Alan <walts.alan@epa.gov>; Russell, Diane <russell.diane@epa.gov>; Carroll, Timothy <Carroll.Timothy@epa.gov>; Niebling, William <Niebling.William@epa.gov>
Cc: Lippert, Allison <lippert.allison@epa.gov>; Risley, David <Risley.David@epa.gov>; Carroll, Timothy <Carroll.Timothy@epa.gov>; Wadlington, Christina <Wadlington.Christina@epa.gov>
Subject: RE: Benton Harbor newsclips 11/10/21

Tim and William:

Have you seen this letter that is referenced in the Detroit News piece? Has anyone else seen it? It would be very helpful to have the specifics on what is being requested.

Thanks.

Elizabeth Cisar

Cisar.Elizabeth@epa.gov

Phone: (202)-564-4382; Cell: Ex. 6 Personal Privacy (PP)

From: Arcaute, Francisco <Arcaute.Francisco@epa.gov>

Sent: Wednesday, November 10, 2021 7:34 AM

To: Rowan, Anne <rowan.anne@epa.gov>; Gillespie, Taylor <Gillespie.Taylor@epa.gov>; Cannon, Phillippa <Cannon.Phillippa@epa.gov>; Singer, Joshua <Singer.Joshua@epa.gov>; Pope, Janet <Pope.Janet@epa.gov>; Fong, Tera <Fong.Tera@epa.gov>; Walts, Alan <walts.alan@epa.gov>; Russell, Diane <russell.diane@epa.gov>

Cc: Lippert, Allison <lippert.allison@epa.gov>; Risley, David <Risley.David@epa.gov>; Carroll, Timothy <Carroll.Timothy@epa.gov>; Cisar, Elizabeth <Cisar.Elizabeth@epa.gov>; Wadlington, Christina <Wadlington.Christina@epa.gov>

Subject: Benton Harbor newsclips 11/10/21

Benton Harbor newsclips 11/10/21

<https://www.detroitnews.com/story/news/politics/2021/11/09/upton-dingell-ask-epa-more-help-benton-harbor-water-crisis/6358110001/>

Upton, Dingell ask EPA for more assistance with Benton Harbor water crisis

Melissa Nann Burke

The Detroit News

Washington — Two Michigan lawmakers are asking the Environmental Protection Agency for more assistance in Benton Harbor as the southwest Michigan city struggles with a drinking water crisis due to lead.

U.S. Reps. Fred Upton, R-St. Joseph, and Debbie Dingell, D-Dearborn, wrote Friday to EPA Administrator Michael Regan, asking the agency for more testing for homes and businesses in the city. They also sought an update on when a study on water filter efficacy will be completed, asking that it be designated "high priority."

They also want to know what kind of timeline and benchmarks have been set for correcting of violations of federal drinking water rules the EPA documented in an enforcement order last week, as well as a summary of the agency's work with state environmental regulators on Benton Harbor since 2018.

"The City of Benton Harbor is home to about 10,000 Michiganders — the vast majority are African American, and all of whom have been without clean drinking water for far too long," Upton and Dingell wrote.

"In some areas, lead levels have shown to be nearly 60 times the federal standard. This is simply not acceptable. Clean water is not a luxury; it is a basic necessity for every American family."

For three years, Benton Harbor has had lead levels in its drinking water that have exceeded the state and federal action standards of 15 parts per billion.

The EPA last week criticized the city for a lack of records and insufficient public notice about elevated lead levels, directing the municipality to improve its corrosion control formula and more strictly monitor residual disinfectants in its water.

Dingell and Upton noted that at least 6,000 water pipes in Benton Harbor fail to meet federal lead standards and must be replaced. Using \$5.6 million in federal funding provided a year ago, the city finally began to replace service lines Monday.

Free bottled water is being provided by the state as city residents are encouraged to use it for cooking, drinking, brushing teeth, rinsing foods and mixing powdered infant formula.

Gov. Gretchen Whitmer has set a goal of replacing 100% of lead service lines in Benton Harbor within 18 months. Michigan is expected to receive \$1.3 billion in federal funding over five years for lead service line replacement as a result of a bipartisan infrastructure package that cleared Congress on Friday.

The Detroit News has reported that state and city officials treated Benton Harbor's drinking water with a corrosion chemical blend that failed to control harmful levels of lead for more than two years and also rejected federal requirements to fully study its effectiveness.

The EPA and Michigan Department of Health and Human Services on Tuesday said it would begin this week testing drinking water in Benton Harbor homes to help the agencies determine if lead is present in water, whether it is coming from pipes or plumbing fixtures in the home; and how well filters are working to reduce lead in relation to the city's specific water chemistry.

<https://www.abc57.com/news/upton-dingell-write-letter-to-epa-concerning-benton-harbor-lead-water-crisis>

Upton, Dingell write letter to EPA concerning Benton Harbor lead water crisis

By: Maura Johnson

Posted: Nov 9, 2021 12:05 PM EST

U.S. Representatives Fred Upton and Debbie Dingell sent a letter to Environmental Protection Agency Administrator Michael Regan last Friday asking for answers and assistance on the ongoing lead crisis in Benton Harbor.

The lawmakers asked Regan several questions surrounding the crisis, including how the EPA is helping the city and state solve the issue.

Both Upton and Dingell voted for the bipartisan Infrastructure Investment and Jobs Act on Friday, which, among other tasks, will provide \$1.3 billion for lead line replacement in Michigan.

Read the full letter below:

Dear Administrator Regan:

We write today with regard to the ongoing lead contamination crisis in the drinking water system in Benton Harbor, Michigan. The City of Benton Harbor is home to about 10,000 Michiganders—the vast majority are African American, and all of whom have been without clean drinking for far too long. In some areas, lead levels have shown to be nearly sixty times the federal standard. This is simply not acceptable. Clean water is not a luxury; it is a basic necessity for every American family.

We appreciate your continued coordination with state and local officials on the ground regarding this matter and we understand you recently issued an order under the Federal Safe Drinking Water Act (SDWA) for Benton Harbor to immediately improve the safety of its drinking water. With this order in mind, we have several questions that we would like answered to help us understand the actions taken thus far, as well as the actions the EPA plans to take moving forward:

- 1. Can you provide a summary of the agency's engagement with Michigan's Department of Environment, Great Lakes, and Energy (EGLE) on Benton Harbor from 2018 to the present?*
- 2. Can you share what arrangements, timelines, and benchmarks have been established for remedying the issues described in the Order and when Benton Harbor will return to full compliance with the SDWA?*
- 3. Can you provide an update on the study on water filter efficacy in Benton Harbor, including the scope and a firm timeline for completing the study? We would strongly urge this study to be designated a high priority and completed as soon as possible.*
- 4. What is the status of corrosion control in Benton Harbor's water system right now? When will it be optimized and what steps need to be taken to do it?*
- 5. What funding has the agency provided the city and State to date on water infrastructure, bottled water, and filters? What other resources have been provided by the Federal government to Benton Harbor or its residents?*
- 6. What types of technical assistance will EPA provide to the City of Benton Harbor to aid in compliance with its recent order?*
- 7. As we try to identify the full magnitude of the problem, can EPA provide a roadmap of funding to allow for full testing for residents and businesses in Benton Harbor?*

Thank you for your continued attention to this important matter and the efforts underway to address this serious drinking water crisis. We look forward to a full and prompt response and stand ready to work with federal, state, and local officials, as well as all other stakeholders across the Benton Harbor community, to ensure the water is safe to drink.

Sincerely,

Fred Upton

Debbie Dingell

Member of Congress Member of Congress

<https://www.detroitnews.com/story/news/local/michigan/2021/11/09/whitmer-visits-benton-harbor-lead-line-removals/6356953001/>

Whitmer visits Benton Harbor for lead line removals

Leonard N. Fleming

The Detroit News

Gov. Gretchen Whitmer visited Benton Harbor on Tuesday as the city began an accelerated pace of removing lead pipes following three straight years of lead violations and pressure from environmentalists to provide safe drinking water to residents.

The governor joined with Benton Harbor Mayor Marcus Muhammad to watch the first lead pipe excavations since Whitmer pledged millions to replace them in 18 months. U.S. Rep. Fred Upton, R-St. Joseph, joined Muhammad on Monday to watch the initial excavation.

Whitmer also attended a weekly local community meeting and listened to local leaders and residents about the crisis and touted the executive directives she signed and the funding secured as well as looked ahead to the \$1.3 billion Michigan is expected to receive from President Joe Biden's infrastructure bill, according to release from her office.

"I am proud of the progress we are making, and I look forward to much more. I am confident that we can meet our goal to replace 100% of lead service lines in Benton Harbor within 18 months and utilize the \$1.3 billion headed our way from the federal bipartisan infrastructure bill specifically for water to protect safe drinking water in every community," Whitmer said in a statement.

"We will not rest until every parent feels confident to give their kid a glass of water knowing that it is safe."

This is the second visit in a month to Benton Harbor by the governor, who has been under fire for the state's slow response to address the lead-tainted water crisis. The Detroit News earlier reported that the corrosion control measures were not working to lower lead levels in that impoverished city of 9,615 residents in southwest Michigan.

"Boots on the ground, dirt in the air and money being put to work," Muhammad said of the pipe removal in a statement. "We need to get the lead out of Benton Harbor ASAP and this funding will replace approximately 100 lead service lines right now. My focus is on protecting the residents of this great city and I look forward to 100% of the lead lines being replaced on an aggressive timeline of 18 months to make sure families have access to safe drinking water."

State officials estimate the cost to replace all of the lines in Benton Harbor to be \$30 million. So far, the state had allocated \$18.6 million with \$10 million in the recently signed 2022 budget as well as \$3 million from the MI Clean Water plan. Another \$5.6 million in water infrastructure grant money from the Environmental Protection Agency has been provided.

Benton Harbor, officials said, still needs at least \$11.4 million to replace 100% of its lead lines in the next 18 months.

U.S. Reps. Fred Upton, R-St. Joseph, and Debbie Dingell, D-Dearborn, wrote Friday to Environmental Protection Agency Administrator Michael Regan, asking him for more testing for homes and businesses in the city and seek an update on when a study on water filter efficacy will be completed, asking that it be designated "high priority."

The Whitmer administration and EPA indicated Tuesday that they are conducting water testing this week and over the next several weeks to pinpoint lead problems. They are testing to see if certified filters are working as expected to reduce lead, if lead is present in a home's water and if it's coming from the home's plumbing or water service line, according to a release from the Michigan Department of Health and Human Services.

Upton and Dingell also want to know what kind of timeline and benchmarks have been set for correcting of violations of federal drinking water violations the EPA documented in an enforcement order last week, as well as a summary of the agency's work with state environmental regulators on Benton Harbor since 2018.

The EPA last week criticized the city for a lack of records and insufficient public notice about elevated lead levels, directing the municipality to improve its corrosion control formula and more strictly monitor residual disinfectants in its water.

In early September, environmental groups and Benton Harbor activists filed an emergency petition with the EPA asking for federal intervention aimed at pressuring the state to pass out bottled water and expedite the timeline to remove thousands of lead pipes out of the ground.

The polyphosphate blend the city began using in March 2019 — adjusting the dosage a year later — has not lowered Benton Harbor's levels of lead below the state and federal action levels.

In 2018, when Benton Harbor recorded its first year of lead exceedance, eight homes tested above the federal action level of 15 parts per billion — the highest at 60 ppb — compared with this year's readings, when 11 homes tested above 15 ppb with the highest coming in at 889 ppb.

Whitmer visits first lead service line replacement in Benton Harbor

NEWS

by: Izzy Martin

Posted: Nov 9, 2021 / 02:07 PM EST / Updated: Nov 9, 2021 / 02:12 PM EST

LANSING, Mich. (WLNS) — Today, Gov. Gretchen Whitmer paid a visit to Benton Harbor to oversee the first replacement of lead service lines (LSLs).

Whitmer has committed to replacing all of the city's LSLs in 18 months.

Today, I visited a construction site in Benton Harbor where we are moving dirt to replace 100% of lead service lines in the city. I am proud of the progress we are making, and I look forward to much more. I am confident that we can meet our goal to replace 100% of lead service lines in Benton Harbor within 18 months and utilize the \$1.3 billion headed our way from the federal bipartisan infrastructure bill specifically for water to protect safe drinking water in every community. Later, I attended a weekly community meeting and heard directly from people on the ground doing the work to help residents. We will not rest until every parent feels confident to give their kid a glass of water knowing that it is safe."

GOVERNOR GRETCHEN WHITMER

The estimated cost to replace all LSLs in Benton Harbor is \$30 million. Approximately \$18.6 million of the \$30 million has been accounted for in funding, but an additional \$11.4 million is required to replace all LSLs within the next 18 months.

Today, Governor Whitmer called on the legislature to secure the remaining funding by utilizing the billions in federal funding available to Michigan under the American Rescue Plan.

Every Michigander deserves access to water they can trust to drink and that they can trust to give to their family. Replacing the lead service lines in Benton Harbor is a major step in ensuring Benton Harbor residents have safe and clean drinking water. Throughout that process, the department and our numerous state, local and community partners are committed to providing every resource we have available to the families of Benton Harbor."

MDHHS DIRECTOR ELIZABETH HERTEL

Under Michigan's Lead and Copper Rule, every community is required to replace 5% of its LSLs every year, meaning 100% replacement in 20 years.

Any community experiencing an action level exceedance, or ALE, is required to replace their LSLs at a rate of 7% per year, meaning 100% completion in just under 15 years.

Governor Whitmer has put forward a plan to speed up the timeline by investing an additional \$200 million to ensure faster replacement of LSLs in communities across the state.

With additional federal funding expected under the bipartisan Infrastructure Investment and Jobs Act making its way through Congress, Michigan will receive billions more to fix its infrastructure, including lead pipes.

The governor launched the Michigan Clean Water plan to invest \$700 million to build water infrastructure.

The plan will replace lead service lines statewide.

<https://www.greatlakesnow.org/2021/11/ap-epa-testing-water-benton-harbor-homes/>

EPA to begin testing water at 300 Benton Harbor homes

By The Associated Press
November 9, 2021

BENTON HARBOR, Mich. (AP) — Officials with the U.S. Environmental Protection Agency will soon start testing the water in 300 homes in a Michigan city where there's been a lead crisis to check certified filters given area residents by the state to remove lead from the drinking water.

EPA officials will collect water samples in Benton Harbor, according to The Herald-Palladium. The process is expected to last several weeks.

"Starting next week, we will be going into homes and collecting water that goes both through the filter and the water itself without the filters," Tera Fong, from the EPA's Region 5 office in Chicago, told the newspaper Friday. "It's about a 30-minute home visit."

The move comes after the federal agency ordered the Michigan city to fix problems at the water plant. The order includes an analysis of whether ownership of the plant should be transferred from Benton Harbor.

Michigan Gov. Gretchen Whitmer has promised to spend millions of dollars to replace the city's lead service lines.

Much of the water distribution in the city of roughly 9,100 residents is around 100 years old. The predominantly Black, mostly low-income community is about 100 miles (160 kilometers) from Chicago.

<https://www.wsjm.com/2021/11/09/state-details-water-testing-taking-place-in-benton-harbor/>

State Details Water Testing Taking Place In Benton Harbor

November 9, 2021 Local Stories

With an announcement this week the EPA is now testing water samples taken from homes in Benton Harbor for lead, the Michigan Department of Health and Human Services has released more information. It tells us more:

To learn more about City of Benton Harbor drinking water and to determine the effectiveness of filters in homes, the Environmental Protection Agency and Michigan Department of Health and Human Services are testing drinking water in homes starting this week and over the next several weeks.

Water testing will help EPA and MDHHS determine if lead is present in water of individual homes; if it is coming from pipes or plumbing fixtures in the home; the potential presence and size of lead particles; and how well filters work to reduce lead in Benton Harbor drinking water in relation to the city's specific water chemistry. This is a collaborative effort with support from the Department of Environment, Great Lakes, and Energy (EGLE) and the Berrien County Health Department.

There are three testing activities underway:

- Filter testing to determine if certified filters are working as expected to reduce lead.
- Source of lead in water testing to determine if lead is present in a home's water and if it's coming from the home's plumbing or water service line.
- Lead type testing to determine how much lead is present in small particles in drinking water.

Homes have already been identified for source of lead and lead type testing. Some homes have also been identified for filter testing; however, additional households may be eligible to participate in the filter study at no cost if they meet the following criteria:

- Do not have a whole house filter, reverse osmosis or cold-water line water softener.
- Currently have a pitcher filter or faucet-mounted filter certified to reduce lead.
- Have 30 minutes available between 7:30 a.m. and 3 p.m. Monday through Saturday to allow a sample team into their home.

Households that meet the criteria should call 269-248-2195 to learn more and schedule an appointment. Residents will be provided results of filter tests as soon as they are available.

Following the completion of these studies, MDHHS will continue to support water testing in Benton Harbor as the lead service lines are being replaced over the next 18 months. Residents can contact MDHHS with questions at 866-691-5323 Monday through Friday from 8 a.m. to 5 p.m.

Today, Gov. Gretchen Whitmer visited a construction site in the City of Benton Harbor where the lead service lines are being replaced after her commitment to replace 100% of the city's lead service lines in 18 months. The governor also attended a weekly local community meeting and listened to local leaders and residents.

In October, Governor Whitmer signed a directive to build on ongoing efforts underway at various departments and by critical stakeholder groups and community leaders, ensuring state government and its partners are all rowing in the same direction and laser-focused on shared goals.

As part of these efforts, distribution of free bottled water continues in the City of Benton Harbor with the MDHHS and local, paid residents providing cases at community distribution sites and through deliveries to residents who are homebound or lack access to transportation.

Free bottled water is being provided by the state as residents are being encouraged to use bottled water for cooking, drinking, brushing teeth, rinsing foods and mixing powdered infant formula. This action is part of an accelerated, across-the-board effort to reduce the risk of exposure to lead in drinking water while the city replaces all lead service lines.

To arrange water delivery to homebound or residents without transportation in the city of Benton Harbor, contact 211, which is available 24 hours a day, seven days a week. Phones that cannot contact 211 should contact 844-875-9211.

The upcoming schedule for bottled water pickup is:

Wednesday, Nov. 10

- Southwest Community Action Agency, 331 Miller Street, 3 – 6 p.m., (Water loaded into vehicles by volunteers)

Thursday, Nov. 11

- Ebenezer Baptist Church, 214 E. Britain Avenue, 10 a.m. – noon.
- Brotherhood of All Nations, 1286 Monroe Street, 4 – 6 p.m.

Friday, Nov. 12

- Southwest Community Action Agency, 331 Miller Street, 10 a.m. – 2 p.m. (Self-service)

Saturday, Nov. 13

- Boys & Girls Club of Benton Harbor, 600 Nate Wells Sr. Drive, 10 a.m. – 2 p.m.,
- Harbor of Hope Seventh-Day Adventist Church, 769 Pipestone Street, 4 – 6 p.m.

Sunday, November 14

- Abundant Life Church of God, 693 Columbus Avenue, 3 – 5 p.m.
- Brotherhood of All Nations, 1286 Monroe Street, 4 – 6 p.m.

The ongoing response in Benton Harbor includes the city, Berrien County Health Department, local community organizations, MDHHS and the EGLE.

Additional dates and locations for bottled water pick up will be added to make sure community needs are met. Information will be posted on Michigan.gov/MiLeadSafe.

To ensure the continued success of bottled water distribution locations in Benton Harbor and to recognize the city residents who have been stepping up to donate their time and talent, the State of Michigan has partnered with local agencies to pay city residents who work at state-supported bottled water distribution sites. Individuals who want to serve as community ambassadors to help distribute water should connect with an established distribution site. Individuals or groups who want to serve as unpaid volunteers can sign up on the United Way's online platform.

MDHHS is engaging in a long-term effort to eliminate lead action level exceedances, educate communities on the effects of lead in drinking water, and remove lead service lines. These efforts also include recently approved funds to remove lead from homes in the city. Families living in Benton Harbor can apply for this service by filling out and mailing in an application that is available online. Residents also can call 866-691-5323 to obtain information.

For questions about lead, MDHHS can be reached at 866-691-5323 Monday through Friday from 8 a.m. – 5 p.m.

Francisco Arcaute, U.S. EPA

Community Involvement Coordinator

312-886-7613, 312-898-2042 cell, arcaute.francisco@epa.gov